

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS**

KONINKLIJKE PHILIPS ELECTRONICS N.V.  
AND PHILIPS SOLID-STATE LIGHTING  
SOLUTIONS, INC.,

Plaintiffs,

v.

PIXELRANGE, INC. AND JAMES THOMAS  
ENGINEERING LTD.

Defendants.

CIVIL ACTION NO. 10-cv-10494

**DEMAND FOR JURY TRIAL**

**COMPLAINT**

Plaintiffs Koninklijke Philips Electronics N.V. and Philips Solid-State Lighting Solutions, Inc. (collectively, “Philips”) bring this complaint for patent infringement against Defendants PixelRange, Inc. and James Thomas Engineering Ltd.

**NATURE OF ACTION**

1. In this action, Plaintiffs allege that Defendants infringe United States Patent Nos. 6,250,774; 6,016,038; 6,150,774; 6,806,659; 6,788,011; and 6,975,079 under 35 U.S.C. § 271.

**PARTIES**

2. Plaintiff Koninklijke Philips Electronics N.V. is a corporation organized and existing under the laws of the Netherlands with a principal place of business at Breitner Center, Amstelplein 2, 1096 BC Amsterdam, The Netherlands.

3. Plaintiff Philips Solid-State Lighting Solutions, Inc. is a corporation organized and existing under the laws of Delaware, with a principal place of business at 3 Burlington Woods Drive, Burlington, MA 01803.

4. Upon information and belief, Defendant PixelRange, Inc. (“PixelRange”) is a corporation organized under the laws of Tennessee, with a principal place of business at 600 Business Park Lane, Knoxville, TN 37932.

5. Upon information and belief, Defendant James Thomas Engineering Ltd. (“JTE”) is a corporation organized in the United Kingdom, with a principal place of business at Navigation Road, Diglis Trading Estate, Worcester, WR5 3DE, United Kingdom.

### **JURISDICTION AND VENUE**

6. This Court has subject matter jurisdiction over this action pursuant to 28 U.S.C. §§ 1331 and 1338.

7. Upon information and belief, Defendants have made, used, provided, sold, offered to sell, imported, or distributed to others for such purposes, lighting devices throughout the United States.

8. Upon information and belief, Defendants maintain or have maintained continuous and systematic contacts with Massachusetts and this judicial district and have committed tortious activity within the district.

9. Venue is proper in this judicial district under 28 U.S.C. §§ 1391(b), (c) and/or 1400(b), as *inter alia* the Defendants are subject to personal jurisdiction in this district.

### **FACTUAL BACKGROUND**

10. Upon information and belief, Defendants’ lighting devices include, among others, the PixelMax, PixelPar, PixelLine, PixelBrick, and PixelArc lines of products.

11. Upon information and belief, the acts of PixelRange complained of herein are done at the direction of, with the authorization of, and/or with the cooperation, participation, and assistance of, and at least in part for the benefit of, JTE.

12. Upon information and belief, the acts of JTE complained of herein are done at the direction of, with the authorization of, and/or with the cooperation, participation, and assistance of, and at least in part for the benefit of, PixelRange.

13. Upon information and belief, JTE actively participates in the management and control of PixelRange.

**COUNT I: PATENT INFRINGEMENT OF U.S. Patent No. 6,250,774**

14. Plaintiffs incorporate by reference paragraphs 1-13 as if fully set forth herein.

15. On June 26, 2001, the Patent Office duly and legally issued United States Patent No. 6,250,774 (“the Begemann ’774 Patent”), entitled “Luminaire,” to Simon H. A. Begemann et al. Plaintiff Koninklijke Philips Electronics N.V. is the assignee and owner of the Begemann ’774 Patent, a copy of which is attached as Exhibit A.

16. Upon information and belief, Defendants are engaged in activities that infringe the Begemann ’774 Patent by making, using, offering to sell, selling and/or importing lighting devices, such as their PixelLine Micro W product, in the United States, and/or by actively inducing and contributing to infringement by others under 35 U.S.C. §§ 271(b) and (c).

17. Plaintiff Koninklijke Philips Electronics N.V. has been and continues to be injured by the infringing activities of Defendants.

**COUNT II: PATENT INFRINGEMENT OF U.S. Patent No. 6,016,038**

18. Plaintiffs incorporate by reference paragraphs 1-13 as if fully set forth herein.

19. On January 18, 2000, the United States Patent & Trademark Office (“Patent Office”) duly and legally issued United States Patent No. 6,016,038 (“the ’038 Patent”), entitled “Multicolored LED Lighting Method and Apparatus.” Plaintiff Philips Solid-State Lighting Solutions, Inc. is the assignee and owner of the ’038 Patent, a copy of which is attached as Exhibit B.

20. Upon information and belief, Defendants are engaged in activities that infringe the '038 Patent by making, using, offering to sell, selling and/or importing lighting devices, such as their PixelLine Micro W product, in the United States, and/or by actively inducing and contributing to infringement by others under 35 U.S.C. §§ 271(b) and (c).

21. Upon information and belief, Defendants are aware of the '038 Patent and their infringement is deliberate, willful, and in reckless disregard of Philips' patent rights.

22. Plaintiffs have been and continue to be injured by the infringing activities of Defendants.

**COUNT III: PATENT INFRINGEMENT OF U.S. Patent No. 6,150,774**

23. Plaintiffs incorporate by reference paragraphs 1-13 as if fully set forth herein.

24. On November 21, 2000, the Patent Office duly and legally issued United States Patent No. 6,150,774 ("the Mueller '774 Patent"), entitled "Multicolored LED Lighting Method and Apparatus," to George G. Mueller et al. Plaintiff Philips Solid-State Lighting Solutions, Inc. is the assignee and owner of the Mueller '774 Patent, a copy of which is attached as Exhibit C.

25. Upon information and belief, Defendants are engaged in activities that infringe the Mueller '774 Patent by making, using, offering to sell, selling and/or importing lighting devices, such as their PixelLine Micro W product, in the United States, and/or by actively inducing and contributing to infringement by others under 35 U.S.C. §§ 271(b) and (c).

26. Upon information and belief, Defendants are aware of the Mueller '774 Patent and their infringement is deliberate, willful, and in reckless disregard of Philips' patent rights.

27. Plaintiffs have been and continue to be injured by the infringing activities of Defendants.

**COUNT IV: PATENT INFRINGEMENT OF U.S. Patent No. 6,806,659**

28. Plaintiffs incorporate by reference paragraphs 1-13 as if fully set forth herein.

29. On October 19, 2004, the Patent Office duly and legally issued United States Patent No. 6,806,659 (“the ’659 Patent”), entitled “Multicolored LED Lighting Method and Apparatus.” Plaintiff Philips Solid-State Lighting Solutions, Inc. is the assignee and owner of the ’659 Patent, a copy of which is attached as Exhibit D.

30. Upon information and belief, Defendants are engaged in activities that infringe the ’659 Patent by making, using, offering to sell, selling and/or importing lighting devices, such as their PixelLine Micro W product, in the United States, and/or by actively inducing and contributing to infringement by others under 35 U.S.C. §§ 271(b) and (c).

31. Upon information and belief, Defendants are aware of the ’659 Patent and their infringement is deliberate, willful, and in reckless disregard of Philips’ patent rights.

32. Plaintiffs have been and continue to be injured by the infringing activities of Defendants.

**COUNT V: PATENT INFRINGEMENT OF U.S. Patent No. 6,788,011**

33. Plaintiffs incorporate by reference paragraphs 1-13 as if fully set forth herein.

34. On September 7, 2004, the Patent Office duly and legally issued United States Patent No. 6,788,011 (“the ’011 Patent”), entitled “Multicolored LED Lighting Method and Apparatus.” Plaintiff Philips Solid-State Lighting Solutions, Inc. is the assignee and owner of the ’011 Patent, a copy of which is attached as Exhibit E.

35. Upon information and belief, Defendants are engaged in activities that infringe the ’011 Patent by making, using, offering to sell, selling and/or importing lighting devices, such as their PixelLine Micro W product, in the United States, and/or by actively inducing and contributing to infringement by others under 35 U.S.C. §§ 271(b) and (c).

36. Upon information and belief, Defendants are aware of the ’011 Patent and their infringement is deliberate, willful, and in reckless disregard of Philips’ patent rights.

37. Plaintiffs have been and continue to be injured by the infringing activities of Defendants.

**COUNT VI: PATENT INFRINGEMENT OF U.S. Patent No. 6,975,079**

38. Plaintiffs incorporate by reference paragraphs 1-13 as if fully set forth herein.

39. On December 13, 2005, the Patent Office duly and legally issued United States Patent No. 6,975,079 (“the ’079 Patent”), entitled “Systems and Methods for Controlling Illumination Sources.” Plaintiff Philips Solid-State Lighting Solutions, Inc. is the assignee and owner of the ’079 Patent, a copy of which is attached as Exhibit F.

40. Upon information and belief, Defendants are engaged in activities that infringe the ’079 Patent by making, using, offering to sell, selling and/or importing lighting devices, such as their PixelLine Micro W product, in the United States, and/or by actively inducing and contributing to infringement by others under 35 U.S.C. §§ 271(b) and (c).

41. Upon information and belief, Defendants are aware of the ’079 Patent and their infringement is deliberate, willful, and in reckless disregard of Philips’ patent rights.

42. Plaintiffs have been and continue to be injured by the infringing activities of Defendants.

**PRAYER FOR RELIEF**

WHEREFORE, Plaintiffs respectfully request the following relief:

(a) a declaration that Defendants infringe the Begemann ’774, ’038, Mueller ’774, ’659, ’011, and ’079 Patents and a final judgment incorporating same;

(b) entry of preliminary and/or permanent equitable relief, including but not limited to a preliminary and/or permanent injunction that enjoins Defendants and any of their officers, agents, employees, assigns, representatives, privies, successors, and those acting in concert or

participation with them from infringing and/or inducing infringement of the Begemann '774, '038, Mueller '774, '659, '011, and '079 Patents;

(c) an award of damages sufficient to compensate Philips for infringement of the Begemann '774, '038, Mueller '774, '659, '011, and '079 Patents by Defendants, together with prejudgment and post-judgment interest;

(d) a declaration or order finding that Defendants' infringement is willful and/or an order increasing damages under 35 U.S.C. § 284;

(e) a judgment holding that this is an exceptional case under 35 U.S.C. § 285 and awarding Philips its reasonable attorneys fees, costs, and expenses; and

(f) such other relief deemed just and proper.

### **JURY DEMAND**

Under Rule 38 of the Federal Rules of Civil Procedure, Plaintiffs hereby demand trial by jury of all issues so triable by a jury in this action.

DATED: March 23, 2010

Respectfully submitted,

/s/ Denise W. DeFranco

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